



STATE OF WASHINGTON  
DEPARTMENT OF HEALTH  
Olympia, Washington 98504

RE: Anna Elperin  
Master Case No.: M2021-758  
Document: Statement of Charges

Regarding your request for information about the above-named practitioner; attached is a true and correct copy of the document on file with the State of Washington, Department of Health, Adjudicative Clerk Office. These records are considered Certified by the Department of Health.

Certain information may have been withheld pursuant to Washington state laws. While those laws require that most records be disclosed on request, they also state that certain information should not be disclosed.

The following information has been withheld:

The identity of the complainant if the person is a consumer, health care provider, or employee, pursuant to RCW 43.70.075 (Identity of Whistleblower Protected) and/or the identity of a patient, pursuant to RCW 70.02.020 (Medical Records - Health Care Information Access and Disclosure)

If you have any questions or need additional information regarding the information that was withheld, please contact:

Customer Service Center  
P.O. Box 47865  
Olympia, WA 98504-7865  
Phone: (360) 236-4700  
Fax: (360) 586-2171

You may appeal the decision to withhold any information by writing to the Privacy Officer, Department of Health, P.O. Box 47890, Olympia, WA 98504-7890.

**STATE OF WASHINGTON  
DEPARTMENT OF HEALTH  
BOARD OF OSTEOPATHIC MEDICINE AND SURGERY**

In the Matter of

**ANNA ELPERIN**

Credential No. DO.OP.60576478

Respondent

**No. M2021-758**

**STATEMENT OF CHARGES**

The executive director of the Board of Osteopathic Medicine and Surgery (Board), on designation by the Board, makes the allegations below, which are supported by the evidence contained in case nos. 2021-10444 and 2021-10615. The patients referred to in this Statement of Charges are identified in the attached Confidential Schedule.

**1. ALLEGED FACTS**

1.1 On June 19, 2015, the State of Washington issued Respondent a credential to practice as an osteopathic physician and surgeon. Respondent's credential is currently active.

1.2 At all relevant times, Respondent practiced as an osteopathic physician and surgeon in the state of Washington.

1.3 On or around August 30, 2021, while practicing at Awake Health, in Ellensburg, Washington, Respondent signed COVID-19 vaccine exemption waivers for patients without charting or specifying a medical condition to justify the exemption, as follows:

- A. On August 30, 2021, Patient A, a new patient, presented to Respondent for a COVID-19 vaccine exemption. Patient A is twenty-eight (28) years old and employed at Central Washington University (CWU.) Respondent's charts for Patient A do not indicate any medical conditions that would exempt Patient A from receiving a vaccine. Under "assessment", Respondent wrote "immunization not carried out, unspecified patient decision." Respondent signed a CWU employee vaccine exemption form stating Patient A had a "medical exemption" without specifying a

reason, stating that reason for the exemption is protected patient health care information that cannot be disclosed.

- B. On or around August 30, 2021, Patient B, a new patient, presented to Respondent for a COVID-19 vaccine exemption. Patient B is thirty-nine (39) years of age and employed at Kittitas Valley Healthcare (KVH). Respondent's charts for Patient B do not include any medical condition that would exempt Patient B from receiving the COVID-19 vaccine. Under "assessment", Respondent charted "immunization not carried out, unspecified patient decision." Respondent then signed a KVH employee COVID 19 vaccine exemption form, attesting that Patient B was exempt from the COVID-19 vaccine due to medical circumstances but did not list a specific reason, stating that she could not disclose reason because it is protected patient health care information.
- C. On or about August 30, 2021, Patient C, a new patient, fifty-five (55) years old and employed with Mount Vernon School District, presented to Respondent for a COVID-19 vaccine exemption. Respondent's charts for Patient C do not include any medical conditions that would exempt Patient C from receiving the vaccine. Under "assessment", Respondent charted "immunization not carried out, unspecified patient decision." Respondent then signed a COVID-19 vaccine exemption form stating that Patient C was exempt from the vaccine due to a medical condition that could not be disclosed due to patient privacy protections.
- D. On or about August 30, 2021, Patient D, a new patient, thirty (30) years old, presented to Respondent for a COVID-19 exemption. Respondent's charts for Patient D do not include any medical conditions that would exempt Patient D from receiving the vaccine. Under "assessment", Respondent charted "immunization not carried out, unspecified patient decision." Respondent then signed a COVID-19 vaccine exemption form stating that Patient D was

exempt from the vaccine due to a medical condition that could not be disclosed due to patient privacy protections.

1.4 Respondent mislead the patients' employers and the public by signing a document stating that the patients' were exempt due to a medical condition that was not disclosable because it was protected health care information when, in fact, no medical condition was identified by the Respondent.

## 2. ALLEGED VIOLATIONS

2.1 Based on the Alleged Facts, Respondent has committed unprofessional conduct in violation of RCW 18.130.180(1), (7), (13); RCW 18.57.150; and/or WAC 246-853-050(3) which provide in part:

**RCW 18.130.180 Unprofessional conduct.** The following conduct, acts, or conditions constitute unprofessional conduct for any license holder under the jurisdiction of this chapter:

(1) The commission of any act involving moral turpitude, dishonesty, or corruption relating to the practice of the person's profession, whether the act constitutes a crime or not. If the act constitutes a crime, conviction in a criminal proceeding is not a condition precedent to disciplinary action. Upon such a conviction, however, the judgment and sentence is conclusive evidence at the ensuing disciplinary hearing of the guilt of the license holder of the crime described in the indictment or information, and of the person's violation of the statute on which it is based. For the purposes of this section, conviction includes all instances in which a plea of guilty or nolo contendere is the basis for the conviction and all proceedings in which the sentence has been deferred or suspended. Nothing in this section abrogates rights guaranteed under chapter 9.96A RCW;

...

(7) Violation of any state or federal statute or administrative rule regulating the profession in question, including any statute or rule defining or establishing standards of patient care or professional conduct or practice;

...

(13) Misrepresentation or fraud in any aspect of the conduct of the business or profession;

...

**RCW 18.57.150 Applicability of health regulations.**

All persons granted licenses or certificates under this chapter shall be subject to the state and municipal regulations relating to the control of contagious diseases, the reporting and certifying to births and deaths, and all matters pertaining to public health; and all such reports shall be accepted as legal.

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**WAC 246-853-050 Ethical considerations.**

The following acts and practices are unethical and unprofessional conduct warranting appropriate disciplinary action:

...

(3) Making or publishing, or causing to be made or published, any advertisement, offer, statement or other form of representation, oral or written, which directly or by implication is false, misleading or deceptive.

2.2 The above violations provide grounds for imposing sanctions under  
RCW 18.130.160.

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### 3. NOTICE TO RESPONDENT

The charges in this document affect the public health and safety. The executive director of the Board directs that a notice be issued and served on Respondent as provided by law, giving Respondent the opportunity to defend against these charges. If Respondent fails to defend against these charges, Respondent shall be subject to discipline pursuant to RCW 18.130.180 and the imposition of sanctions under RCW 18.130.160.

DATED: December 22, 2021

STATE OF WASHINGTON  
DEPARTMENT OF HEALTH  
BOARD OF OSTEOPATHIC MEDICINE AND  
SURGERY



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RENEE FULLERTON  
EXECUTIVE DIRECTOR

ROBERT W. FERGUSON  
ATTORNEY GENERAL



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DEBRA DEFREYN, WSBA #28317  
ASSISTANT ATTORNEY GENERAL

## CONFIDENTIAL SCHEDULE

**This information is confidential and is NOT to be released without the consent of the individual or individuals named below. RCW 42.56.240(1)**

Patient A:

Patient B:

Patient C:

Patient D:

